



1638

CASE A-30496B

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

ART UNIT: 1638

HEIFETZ ET AL.

EXAMINER: A. MEHTA

APPLICATION NO: 09/309,038

FILED: MAY 10, 1999

FOR: REGULATION OF GENE EXPRESSION

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RESPONSE AND AMENDMENT UNDER CFR § 1.111

Sir:

In response to the Office Action dated October 11, 2001, please enter the amendments and consider the remarks below. Submitted herewith is a Petition for an Extension of Time for three months from January 11, 2002 up to and including April 11, 2002, with the fee by charge card account.

IN THE CLAIMS:

Please amend the claims as follows:

B¹ 49. (amended) A plant comprising the plant cell of claim 47.

B² 69. (twice amended) A DNA construct comprising a first DNA sequence capable of expressing in a cell a sense RNA fragment of a viral genome or portion thereof and a second DNA sequence capable of expressing in said plant cell an antisense RNA fragment of said viral genome or portion thereof, wherein said sense RNA fragment and said antisense RNA fragment form a double-stranded RNA molecule, wherein said DNA construct further comprises a bi-directional promoter operably linked to said first DNA sequence and to said second DNA sequence.